

### REMARKS/ARGUMENTS

Relative to the “final” Office Action mailed July 12, 2005, and as described above, page 16 of the Specification was restored with the response filed November 11, 2005 to the text as originally filed in light of helpful suggestions from Quality Assurance Specialist (QAS) Bonnie Eyler and as described in the previous response filed February 10, 2006.

Relative to the previous response filed February 10, 2006 and the Advisory Action and Notice of Non-Compliant Amendment mailed March 10, 2006, Applicants respectfully point out that claim 5 is currently amended as shown above in reference to its last presentation in the response filed November 11, 2005. The term “optionally” is present, but removed, in revised claim 5 as presented above. There is no inadvertent duplication of claim 10. This is believed to be responsive to the Notice of Non-Compliant Amendment.

Claims 1-3, 8, and 9 have been canceled. The cancellation is not in acquiescence to any position of record and Applicants reserve the right to pursue the canceled subject matter in a continuing application.

Claims 13, 14, 20, 21, 23-26, and 28-30 have been revised to depend from allowable claim 5. These claims are subject to rejoinder with allowable claim as set forth at MPEP 821.04.

No new matter has been introduced, and entry of the above revised claims is respectfully requested.

#### Advisory Action Mailed March 10, 2006

Applicants acknowledge the indications and comments in the Advisory Action mailed March 10, 2006. As noted in the Advisory Action, Claims 4, 5, 10, and 46-54 were allowed.

Withdrawn Claims and Rejoinder

Claims 20, 21, 23-26, and 28-30 were withdrawn from consideration. They have been revised as described above and rejoinder with the allowable claims is respectfully requested.

Apparent "New Matter" Issue under 35 U.S.C. § 112, first paragraph


As noted above, the Advisory Action appears to raise a "new matter" issue with respect to Claims 1-3, 8, 9, 13 and 14, presumably under 35 U.S.C. § 112, first paragraph.

In light of the cancellation of claims 1-3, 8 and 9, as well as the revisions to claims 13 and 14, Applicants respectfully submit that this issue has been obviated and the application may be passed to issue.

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 858-350-6151.

Respectfully submitted,

  
Kawai Lau, Ph.D.  
Reg. No. 44,461

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 858-350-6100  
Fax: 415-576-0300  
KL:kl  
60771970 v1